

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
BALBIR SINGH,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.: 05-11671-GAO
)	
MGI PHARMA, INC., and)	
MGI PHARMA BIOLOGICS, f/k/a)	
ZYCOS, INC.)	
Defendants.)	
_____)	

JOINT STATEMENT

Pursuant to the Notice of Scheduling Conference and Local Rule 16.1(D), the plaintiff, Dr. Balbir Singh ("Dr. Singh") and defendants MGI Pharma, Inc. ("MGI Pharma") and MGI Pharma Biologics, f/k/a Zycos, Inc., provide the following joint statement to the Court.

I. Discovery and Motion Schedule

1. Automatic disclosures required by Local Rule 26.2(A) shall be made by November 10, 2005.
2. Motions for joinder or to amend pleadings shall be filed by March 30, 2006.
3. All expert witnesses shall be designated by May 31, 2006.
4. Expert reports on an issue for which a party bears the burden of proof shall be served no later than June 30, 2006.
5. Rebuttal expert reports shall be served no later than July 28, 2006.
6. All written discovery requests shall be served by July 31, 2006.

7. All depositions shall be completed by September 29, 2006.
8. All motions pursuant to Fed. R. Civ. P. 56 shall be filed by October 20, 2006.
9. All oppositions to Rule 56 motions shall be served by November 17, 2006.
10. A status conference shall be held on December 7, 2006, or some other date convenient for the Court.
11. A final pre-trial conference shall be held on January 30, 2007 or some other date convenient for the Court.

The parties do not believe phased discovery is necessary in this action.

II. Certifications

Counsel for the parties will separately file certifications as required by Local Rule 16.1(D)(3).

Respectfully submitted,

MGI PHARMA BIOLOGICS, f/k/a
ZYCOS, INC.
By its attorneys,

/s/ Andrew R. McGaan
Andrew R. McGaan, P.C.
Jamenda A. McCoy
Kirkland & Ellis, LLP
200 East Randolph Drive
Chicago, IL 60601
(312)-861-2000

Respectfully submitted,

BALBIR SINGH
By his attorneys,

/s/ C. Alex Hahn
Joseph L. Stanganelli (BBO #628958)
C. Alex Hahn (BBO #634133)
Scibelli, Whiteley and Stanganelli, LLP
50 Federal Street, 5th Floor
Boston, MA 02110
(617)-227-5725

MGI PHARMA, INC.

By its attorneys,

/s/ Daniel T.S. Heffernan

Daniel T.S. Heffernan

Kotin, Crabtree & Strong, LLP

One Bowdoin Square

Boston, MA 02114

(617)-227-7031

Christopher T. Shaheen

Dorsey & Whitney, LLP

50 S. Sixth Street

Suite 1500

Minneapolis, MN 55402

(612)-340-2886

Dated: November 9, 2005